

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

LEGAL AD DATE: Friday August 16, 2012

REQUEST FOR PROPOSALS No. RFP-13-01-NELHA

SEALED OFFERS FOR

Evaluation and Update of NELHA's Distributed Energy Resources Strategy

WILL BE RECEIVED UP TO 2:00 P.M. (HST) ON MONDAY SEPTEMBER 17, 2012

AT THE ADMINISTRATIVE OFFICES OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

IF DELIVERING THE PROPOSAL IN PERSON OR VIA FEDERAL EXPRESS OR UNITED PARCEL SERVICE THE

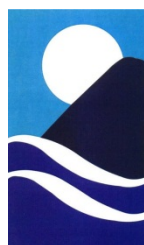
ADDRESS IS 73-970 MAKAKO BAY DRIVE, KAILUA-KONA, HAWAII 96740.

IF DELIVERING THE PROPOSAL VIA THE U.S. POSTAL SERVICE THE

ADDRESS IS 73-4460 QUEEN KAAHUMANU HIGHWAY, #101, KAILUA-KONA, HAWAII 96740.

DIRECT QUESTIONS RELATING TO THIS SOLICITATION TO GREGORY BARBOUR

TELEPHONE (808) 327-9585 EXT 225, FACSIMILE (808) 327-9586 OR E-MAIL AT GB@NELHA.ORG



NOTICE TO INTERESTED PARTIES
IMPORTANT PLEASE READ BEFORE DOWNLOADING

This solicitation is provided to you for information purposes and is not an official document unless you register your company.

If interested in responding to this solicitation, you may choose to submit your offer on the downloaded document provided you register your company by fax or email for this specific solicitation.

To register your company, please provide the information specified under “Registration”. If you do not register your company, any applicable Addenda will not be sent to you, and your offer will be automatically rejected and not considered for award.

REGISTRATION:

FAX No.: (808) 327-9586
E-Mail Address: gb@nelha.org

Provide the following information:

⊕ Name of Company	⊕ Mailing Address
⊕ Name of Contact Person	⊕ Telephone Number
⊕ Facsimile Number	⊕ Solicitation Number

THERE ARE TWO WAYS TO RECEIVE A COPY OF THIS SOLICITATION:

1. Request a copy of this Solicitation to be mailed or delivered:

Phone No.: (808) 327-9585 extension 225
FAX No.: (808) 327-9586
E-Mail Address: gb@nelha.org

Provide the following information:

⊕ Name of Company	⊕ Mailing Address
⊕ Name of Contact Person	⊕ Telephone Number
⊕ Facsimile Number	⊕ Solicitation Number
⊕ FedEx (or equivalent) account number (document will be sent by U.S. Postal Service first class mail if this is not provided)	

2. Download this solicitation from the following pages provided you register your company as stated above.

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**NOTICE TO OFFERORS:
REQUEST FOR PROPOSALS**

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY (NELHA)

Solicitation No. RFP-13-01-NELHA

**EVALUATION AND UPDATE OF
NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY**

Pursuant to the Hawai'i Public Procurement Code, Chapter 103D, Hawai'i Revised Statutes, the Natural Energy Laboratory of Hawaii Authority is soliciting proposals to conduct an evaluation and update of its Distributed Energy Resources (DER) Strategy.

Project Description

The Natural Energy Laboratory of Hawaii Authority also referred to as NELHA or STATE herein, is soliciting proposals to evaluate and update its existing Distributed Energy Resources (DER) Strategy formulated approximately 10 years ago. The project must be completed by March 15, 2013. Please read the Request for Proposals package carefully for the specific services required and deadlines for competition of services.

Requirements

All written questions must be submitted to NELHA by 2:00 p.m., Hawaii Standard Time (HST) on **Friday, August 27, 2012**.

Proposals shall be received up to 2:00 p.m., HST, on **Monday, September 17, 2012** at the Administrative Offices of the Natural Energy Laboratory of Hawaii Authority 73-970 Makako Bay Drive, Kailua-Kona, Hawaii 96740. Proposals can also be mailed to the Natural Energy Laboratory of Hawaii Authority, 73-4460 Queen Kaahumanu Highway, Kailua-Kona, HI 96740. Request for Proposal (RFP) documents may be obtained from said office between the hours of 7:30 a.m. to 4:30 p.m., Monday through Friday, except for State holidays or you may download from www4.state.hi.us/bidapps. All interested parties must register with said office at the time the RFP documents are requested. PLEASE NOTE: REGISTRATION IS MANDATORY.

All proposals must comply with AG-008 General Conditions (GC) dated April 15, 2009, Exhibit F. Offerors are encouraged to carefully read the entire RFP document. Proposals must be submitted on DBEDT proposal forms with an original signature. If possible, blue ink is preferred.

All proposals must comply with Section 3-122-112, Hawai'i Administrative Rules (HAR) (Exhibit D). Offeror is advised that if awarded a contract under this solicitation, upon award of the

contract Offeror shall furnish proof of compliance with the requirements of Section 103D-310(c), HRS:

- 1) Chapter 237, tax clearance;
- 2) Chapter 383, unemployment insurance;
- 3) Chapter 386, workers' compensation;
- 4) Chapter 392, temporary disability insurance;
- 5) Chapter 393, prepaid health care; and
- 6) One of the following:
 - a. Be registered and incorporated or organized under the laws of the State, hereinafter referred to as a "Hawai'i business"; or
 - b. Be registered to do business in the State, hereinafter referred to as a "compliant non-Hawai'i business."

CRITICAL PROPOSAL SUBMISSION INFORMATION

1. ALL PROPOSALS MUST BE SUBMITTED ON DBEDT PROPOSAL FORMS. FAILURE TO SUBMIT ON SUCH FORMS MAY RESULT IN DISQUALIFICATION.
2. ALL INTERESTED PARTIES MUST REGISTER WITH NELHA. REGISTRATION SHALL CONSIST OF CONTACTING NELHA TO REQUEST A COPY OF THIS SOLICITATION VIA MAIL, DOCUMENT DELIVERY SERVICE, OR DOWNLOADING FROM THE INTERNET.
3. ALL WRITTEN QUESTIONS MUST BE RECEIVED BY NELHA BY THE DATE AND TIME INDICATED IN THE SIGNIFICANT DATE SECTION.
4. ALL PROPOSALS MUST BE RECEIVED BY NELHA BY THE DATE AND TIME INDICATED IN THE SIGNIFICANT DATES SECTION.
5. PROPOSAL SUBMISSIONS MUST INCLUDE AN ORIGINAL WITH AN AUTHORIZED SIGNATURE AND FOUR ADDITIONAL (4) COPIES. FAILURE TO SUBMIT PROPOSALS AS PRESCRIBED MAY RESULT IN DISQUALIFICATION. IF POSSIBLE, AN ORIGINAL SIGNATURE IN BLUE INK IS PREFERRED.
6. OFFERORS ARE CAUTIONED TO MAKE PRIOR ARRANGEMENTS TO ENSURE DELIVERY BY THE PROPOSAL DUE DATE.

SECTION ONE

Introduction, Background, Scope of Work and Deliverables

1.01 INTRODUCTION

NELHA recently received congressionally-mandated funds via a contract with the National Renewable Energy Laboratory (NREL) to continue the development and deployment of DER at its Hawaii Ocean Science and Technology (HOST) Park facility in Kailua-Kona. The purpose of the contract with NREL is to analyze how advanced energy technologies could improve the energy performance of NELHA and provided related updates to the State of Hawaii's renewable energy and DER strategy. More specifically, one of the key objectives of this contract with NREL is to update the Renewable Energy and Distributed Electric Resources Strategy that was initially developed about 10 years ago.

Task Four of the NREL contract specifically states that:

“The purpose of this task shall be to assess the potential impact of renewable and DER technologies on the NELHA electric network. Under this task, the Subcontractor shall work with DOE, NREL, manufacturers, utilities, and other sources to gather technical and other pertinent information regarding the performance, cost, availability, etc. of renewable and distributed energy generation technologies and their compatibility with a potential micro grid at the NELHA campus. Following completion of the information gathering, the Subcontractor shall conduct preliminary analysis to filter out less promising technologies.

The result of this task shall be an update to NELHA's existing 2003 assessment of the most promising distributed resources for implementation into a NELHA micro grid. The updated findings shall be fully detailed in an updated report focusing on the most promising technologies and detailing the performance, technical, and other characteristics that would allow NELHA to form a micro grid that could be both technically and economically successful.”

1.02 BACKGROUND

The 2003 NELHA Gateway DER Strategy, as shown in Appendix “E” formulated several strategic alternatives for a DER strategy and found that NELHA is ill-suited for basic DER research but would be a good site for project demonstration. This is in line with the original vision and mission of NELHA when it was established in the 1970s. The strategy further indicated that NELHA could be positioned as a location for applied research and pre-commercial research especially in the renewable energy space and perform a critical role in moving research and/or technology “out of the lab” to an outdoor demonstration site and towards commercialization. In this regard, the study indicated that NELHA should not be viewed as just a “landlord” for a technology park, but should have a research component of the DER program that would focus on attracting projects that will make a significant financial impact on NELHA and benefit to NELHA and the West Hawaii region in the long-term.

In this regard, the study found that the Gateway DER Center should be developed as a research and development, demonstration, and outreach center to support the overall mission of NELHA and promote the use of renewable distributed energy resources into the energy economies of Hawaii, the United States, and the developing nations of Asia and the Pacific Rim. The objectives of the center should be to:

- a) Provide a site for deployment of distributed generation technologies, including hybrid system combinations, to conduct R&D and validate performance economics;
- b) Attract the participation of private companies, universities and government agencies in DER projects;
- c) Market the projects, technologies, and participants in the Gateway DER Center to other states and internationally, with particular emphasis on the Pacific Rim; and
- d) Educate the general public and public officials on DER technologies

NELHA updated its Master Plan in 2011. Group 70 formulated this plan and generally used the basic concepts presented in the 2003 DER Strategy as the basis for development of recommendations for the applied renewable energy zone and the applied technology laboratories and Research Zone surrounding the NELHA Gateway Center. These zones are shown on the map in Appendix G. NELHA is currently in the process of designing the new roadways and seawater pipelines in these zones which make up a significant extent of the remaining readily available lands for future development at HOST Park. Accordingly, a review of the DER strategy and update of targeted technologies if necessary is timely and important for the increased utilization of the Gateway Center and the surrounding lands.

1.03 SCOPE OF WORK

The STATE seeks consultant services to conduct an evaluation and update of NELHA's 2003 Gateway DER Strategy. The final product will form the basis for the development of lands surrounding the Gateway Energy Center. Proposals should include the required deliverables described below and any other deliverables the contractor will provide to meet the objectives of the RFP so long as the total price does not exceed \$40,000. Services to be provided by the Contractor being sought shall include, but are not be limited:

- a) To update the strategy, an analysis of the current DER Strategy shall be conducted in order to address current issues in distributed energy resources.
- b) To improve DER strategy implementation and relevancy with the recently adopted NELHA Master Plan.
- c) To increase the utilization of the Gateway Energy Center.
- d) To revise the strategy to ensure that it continues to provide overall direction to NELHA and guidance to the marketing of HOST Park.
- e) To ensure that public and stakeholder input are incorporated into the update.
- f) Present to NELHA Board of Directors in January 2013 to obtain input into the draft revisions to the DER strategy.

- g) The evaluation and update of this project must be completed by March 15, 2013.

1.04 SUMMARY OF DELIVERABLES

The following is a summary of major deliverables which are being requested under this RFP.

- a) Completion of an evaluation/analysis of the current DER; and
- b) Completion of the final updated DER.

While the specific approach to conducting this project shall be proposed by the Contractor, the STATE expects the scope of work items, project goals and deliverables to be completed by March 15, 2013. The Contractor shall provide services and otherwise do all things necessary for or incidental to the performance or work detailed under Section 1.03. Proposals should include the required deliverables in this section and any other deliverables the contractor will provide so long as the total price does not exceed \$40,000.

TERMS AND ACRONYMS USED

BAFO	=	Best and Final Offer
Contact Person	=	Gregory P. Barbour, as identified in Section Four, Special Provisions, of this RFP
Contractor	=	The Offeror awarded a contract under this RFP
CPO	=	Chief Procurement Officer
DER	=	Distributed Energy Resources
DBEDT	=	Department of Business, Economic Development & Tourism
GC	=	General Conditions, AG-008
GET	=	General Excise Tax
HAR	=	Hawai'i Administrative Rules
HRS	=	Hawai'i Revised Statutes
Offeror	=	Any individual, partnership, firm, corporation, joint venture, or representative or agent, submitting an offer in response to this solicitation.
NELHA	=	Natural Energy Laboratory of Hawaii Authority

a)

DER = Distributed Energy Resources

Procurement
Officer = DBEDT Director or representative

RFP = Request for Proposal

HST = Hawaiian Standard Time

STATE = Natural Energy Laboratory of Hawaii Authority or NELHA

SECTION TWO

RFP SIGNIFICANT DATES, CONTACT PERSON AND PAYMENT SCHEDULE

2.01 RFP SCHEDULE AND SIGNIFICANT DATES

The schedule set out herein represents the State's best estimate of the schedule that will be followed. All times indicated are Hawai'i Standard Time (HST). If a component of this schedule, such as "Proposal Due" date is delayed, the rest of the schedule will likely be shifted by the same number of days. Any changes in dates will be in writing and approved by the STATE. The approximate schedule is as follows:

Advertising of Request for Proposals	Thursday, August 16, 2012
Deadline to Submit Written Questions	No later than Monday, August 27, 2012 at 2:00pm HST
State's Response to Written Questions	Friday, August 31, 2012
Proposals Due and Opened	No later than Monday, September 17, 2012 at 2:00pm HST
Proposal Evaluations Completed	Monday September 24, 2012
Discussion with Priority Listed Offerors (if necessary)	To be scheduled
Best and Final Offer (if necessary)	To be scheduled
Contract Start Date	As Determined by the Notice to Proceed

2.02 OFFICIAL CONTACT PERSON

The official contact person for all communication regarding the RFP is:

Gregory P. Barbour, Executive Director
Natural Energy Laboratory of Hawaii Authority
73-4460 Queen Kaahumanu Highway, #101
Kailua-Kona, Hawaii 96740
Telephone: (808) 327-9585 extension 225
Email: gb@nelha.org

Official responses to questions shall be made through written addenda issued to all prospective offerors. Offerors' attention is directed to the deadlines for questions and addenda stated above.

2.03 PROPOSED PAYMENT SCHEDULE

- a) Award will be made on a firm, fixed fee; including all taxes not to exceed \$40,000.
- b) The proposal shall be priced and shall include a budget in accordance with the section entitled "Proposal Requirements." The proposed budget shall include all costs, taxes, and fees. Inasmuch as the State of Hawai'i imposes a general excise tax on gross income; this levy should be taken into account when calculating costs.
- c) Payment shall be made in predetermined installments contingent on the STATE's approval of specified deliverables or progress reports.
- d) The CONTRACTOR shall be required to provide proof of compliance with the requirements of Section 103D-310(C), HRS, prior to entering into a contract with the STATE and again to receive final payment.

SECTION THREE

CAPABILITIES, RESPONSIVENESS AND EVALUATION CRITERIA

3.01 OFFEROR EXPERIENCE AND CAPABILITIES

In addition to previous experience or demonstrated capability in preparing policy plans, strategic plans, departmental plans, program plans or similar plans, please provide the following:

- b) Provide a complete, related and current client listing.
- c) Indicate the number of years Offeror has been in business and the number of years Offeror has performed services specified by this RFP.
- d) Include a list of key personnel and associated resumes for those who will be dedicated to this project.
- e) Include a list of at least three (3) references from the Offeror's client listing that may be contacted by the State as to the Offeror's past and current job performance. Offeror shall provide names, titles, organizations, telephone numbers, email and postal addresses.
- f) Provide a summary listing of judgments or pending lawsuits or actions against Offeror; adverse contract actions, including termination(s), suspension, imposition of penalties, or other actions relating to failure to perform or deficiencies in fulfilling contractual obligations against your firm. If none, so state.
- g) Provide sample projects and/or examples of written plans.

3.02 MINIMUM CRITERIA FOR PROPOSAL RESPONSIVENESS

- a) Unfavorable references may be justification for rejection of a proposal.
- b) The STATE reserves the right to use whatever resources are available to the STATE to seek additional references in addition to those submitted in the proposal.
- c) Submitting incomplete proposal documents or failure to sign the proposal documents may be justification for rejection of a proposal.
- d) Failure to respond or comply with the specifications provided in the Solicitation or the requirements provided by statutes or law maybe justification for rejection of a proposal.

3.03 PROPOSAL EVALUATION CRITERIA

An evaluation committee shall be appointed by the DBEDT Director. The committee shall evaluate responsive proposals in accordance with the SECTION FIVE entitled “Proposal Requirements” and based on the evaluation criteria in this section.

Evaluation criteria and the associated percentages are listed below. The award will be made to the responsive, responsible Offeror whose proposal is determined to be the most acceptable to the State based on evaluation criteria described in this section.

Each criterion will be rated on a scale of one (1) to four (4), according to the table below.

1 point	2 points	3 points	4 points
Unsatisfactory proposal; negative or missing elements	Proposal partially addresses criteria; many areas deficient or weak	Good proposal; criteria clearly evident, but a few areas deficient	Strong proposal, with elaboration that exceeds expectations for criteria

Each **rating** will then be multiplied by the **percent value** that particular criterion is worth, in order to calculate the **points earned**. The total sum of points earned for each proposal will then be calculated. The evaluation criteria and the percent values are listed in the table below.

Evaluation Criteria	Rating (1-4)	Percent value (%)	Total Points Earned
1. Qualifications/Experience			
a. Demonstration of successful experience in directing studies/work associated with State of Hawaii and County of Hawaii Energy, Plans and Policies		10%	
b. Demonstration of successful experience in directing studies/work associated with national and international Distributed Energy Resources and Distributed Generation technologies.		20%	
c. Demonstration of successful experience in directing,		10%	

overseeing, updating or managing government projects or projects with similar scope of work.			
2. Proposal			
a. Completeness of proposal – adequately covers all the elements in the Scope of Work, including proposed methodologies and approaches.		15%	
b. Effectiveness of proposal to fulfill project objectives.		10%	
c. Sufficient time is allotted for each task and for completion of total project.		10%	
3. Budget			
a. Budget and estimated unit costs for services and tasks are itemized and clear and appear appropriate to the level of effort required.		5%	
4. References			
a. References are satisfied with project team’s skill sets, deliverables, and overall attitudes and responsiveness to clients’ needs.		20%	
TOTALS		100%	

SECTION FOUR

SPECIAL PROVISIONS

4.01 SCOPE

The furnishing of consulting services to assist NELHA in conducting an evaluation and update of Gateway Distributed Energy Resources Strategy shall be in accordance with this RFP, including the special provision in this section, the Scope of Work specified herein, and the AG-008 General Conditions (GC) dated April 15, 2009.

4.02 RESPONSIBILITY OF OFFERORS

Offeror is advised that prior to award of a contract under this solicitation, Offeror shall furnish proof of compliance with the requirements of sections 103D-310(c), HRS:

- a. Chapter 237, tax clearance;
- b. Chapter 383, unemployment insurance;
- c. Chapter 386, workers’ compensation;
- d. Chapter 392, temporary disability insurance;
- e. Chapter 393, prepaid health care; and
- f. Chapter 103C-310 (c), Certificate of Good Standing (COGS for entities doing business in the State.

1. **Hawaii Compliance Express.**

An Offeror may collectively apply for these certificates through the Hawaii Compliance Express (HCE). The HCE allows businesses to register online through a simple wizard interface at <http://vendors.ehawaii.gov/hce/splash/welcome.html> to acquire a "Certificate of Vendor Compliance." The HCE provides current compliance status as of the issuance date. The "Certificate of Vendor Compliance," indicating that the vendor's status is compliant with the requirements of HRS Section 103D-310(c), shall be accepted for both contracting purposes and final payment. Vendors that elect to use the new HCE services will be required to pay an annual fee of \$12.00 to the Hawaii Information Consortium, LLC (HIC). **Vendors choosing not to participate in the HCE program will be required to provide the paper certificates as instructed in the sub-sections 2, 3, 4 that follow.**

2. **HRS Chapter 237 tax clearance requirement for award.** Instructions are as follows:

The Awardee(s) shall be required to obtain a current tax clearance from the Hawai'i State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) prior to entering into a contract with the State, and again to receive final payment.

It is recommended that the "Tax Clearance Application," Form A-6, attached as Exhibit C, be mailed to a DOTAX district office as soon as possible, as the process may take twenty-one (21) calendar days before you receive a tax clearance. We also recommend that extra certified copies be requested, if responding to several competitive solicitations. Extra certified copies may be requested by writing or typing the number of copies next to the check box 5 on the application form. Offerors who repeatedly submit bids or bids for State or county contracts should file frequently for a tax clearance.

Pursuant to §103D-328, HRS, the successful Offeror shall be required to submit a tax clearance certificate issued by DOTAX and the IRS. The certificate is valid for six (6) months from the most recent approval stamp date on the certificate and must be valid on the date it is received by the purchasing agency.

The tax clearance certificate shall be obtained on DOTAX "Tax Clearance Application" Form A-6 (Rev. 2010), which is available at the DOTAX and IRS offices in the State of Hawai'i or the DOTAX website, and by mail or fax:

DOTAX Website, Forms & Information: <http://www.state.hi.us/tax/alphalist.html#a>
DOTAX Forms by Fax/Mail: (808) 587-7572
1 (800) 222-7572

Completed tax clearance applications may be mailed, faxed, or submitted in person to the DOTAX, Taxpayer Services Branch, to the address listed on the application. Facsimile numbers are:

DOTAX: (808) 587-1488

IRS: (808) 539-1573

The application for the clearance is the responsibility of the Offeror, and must be submitted directly to the DOTAX or IRS and not to the purchasing agency.

3. HRS Chapters 383 (Unemployment Insurance), 386 (Workers' Compensation), 392 (Temporary Disability Insurance), and 393 (Prepaid Health Care) requirements for award. Instructions are as follows:

Pursuant to Section 103D-310(c), HRS, the successful Offeror shall be required to submit an approved certificate of compliance issued by the Hawai'i State Department of Labor and Industrial Relations (DLIR). The certificate is valid for six (6) months from the date of issue and must be valid on the date it is received by the purchasing agency.

The certificate of compliance shall be obtained on the State of Hawai'i, "Form LIR#27 Application for Certificate of Compliance with Section 3-122-112, HAR," Form LIR#27, available at <http://hawaii.gov/labor/forms/DCD-LIR27.pdf> or at the Neighbor Island DLIR District Offices. The DLIR will return the form to the Offeror who in turn shall submit it to the purchasing agency.

The application for the certificate is the responsibility of the Offeror, and must be submitted directly to the DLIR and not to the purchasing agency.

Compliance with Sections 103D-310(c)(1) and (2), HRS. Pursuant to Section 3-122-112, HAR, the Offeror shall be required to submit a "Certificate of Good Standing" (Certificate), issued by the Hawai'i State Department of Commerce and Consumer Affairs (DCCA), Business Registration Division (BREG). The Certificate is valid for six (6) months from date of issue and must be valid on the date it is received by the purchasing agency. A photocopy of the Certificate is acceptable to the purchasing agency.

Hawai'i business. A business entity referred to as a "Hawai'i business", is registered and incorporated or organized under the laws of the State of Hawai'i.

Compliant non-Hawai'i business. A business entity referred to as a "compliant non-Hawai'i business," is not incorporated or organized under the laws of the State of Hawai'i, but is registered to do business in the State.

To obtain the Certificate, the Offeror must first be registered with BREG. A sole proprietorship, however, is not required to register with the BREG, and therefore not required to submit the certificate.

Online business registration and the Certificate are available at www.BusinessRegistrations.com. To register or to obtain a "Certificate of Good Standing" by phone, call (808) 586-2727 (Monday-Friday, 7:45 a.m. to 4:30 p.m., HST). Offerors are advised that there are costs associated with registering and obtaining a "Certificate of Good Standing" from the DCCA.

4. **Obtaining Certificates through Hawai'i Compliance Express.** Alternatively, instead of separately applying for the above certificates at the various State or federal agencies, the successful Offeror may choose to use the Hawai'i Compliance Express (HCE), which allows businesses to register online through a simple wizard interface at <http://vendors.ehawaii.gov/hce/splash/welcome.html>. The HCE provides the vendor a "Certificate of Vendor Compliance" with current compliance status as of the issuance date, acceptable for both contracting purposes and final payment. Vendors that elect to use the new HCE services will be required to pay an annual fee of \$12.00 to the Hawai'i Information Consortium, LLC (HIC). Vendors choosing not to participate in the HCE program will be required to provide the paper certificates as instructed in the sections previous to this one.
5. **Timely Submission of all Certificates.** The above certificates should be applied for and valid certificates submitted to the purchasing agency as soon as possible. If a valid certificate is not submitted on a timely basis for award of a contract, an offer otherwise responsive and responsible may not receive the award.
6. **Final Payment Requirements.** The Contractor is required to submit a tax clearance certificate for final payment on the contract. A tax clearance certificate, not over two months old, with an original, green certified copy stamp must accompany the invoice for final payment on the contract.

In addition to a tax clearance certificate, an original "Certification of Compliance for Final Payment" (SPO Form-22), Exhibit D, will be required for final payment. A copy of the Form is also available at www.spo.hawaii.gov. Select "Forms for Vendors/Contractors" from the Procurement of Goods, Services and Construction, Chapter 103D, HRS, pop-up menu.

4.03 PREFERENCES

The following preferences shall apply to this solicitation. The evaluated price shall be based on application of these preferences in the order specified below:

1. **In-State Contractor.** Preference shall be given to Offerors within the State of Hawaii. Whenever an Offeror selects and qualifies for an in-state contractor preference, all prices from Offerors who do not select or qualify under the in-state contractor preference shall be increased by 5% for evaluation purposes. Offerors claiming this

preference shall submit a tax clearance certified from the State of Hawaii, Department of Taxation with their proposal and must indicate a State of Hawaii business address.

2. Tax adjustment for out-of-state and tax exempt bidders. Where the Offeror is an out-of-state vendor not doing business in the State or is a person exempted from paying the applicable general excise tax, the proposal price, for the purpose of determining the lowest price offer, shall be increased by the applicable retail rate of general excise tax and the applicable use tax.
3. Reciprocal Preference. Resident Offerors of the State of Hawaii may be given a reciprocal preference equal to the preference that an out-of-state Offeror would be given in their own state. If the out-of-state Offeror's state has a preference comparable to a Hawaii preference, the reciprocal preference shall be equal to the amount the out-of-state preference exceeds the Hawaii preference.

4.04 OFFEROR QUALIFICATIONS

Offeror shall meet all of the qualifications required by this RFP. Failure to meet the qualifications as specified in Section 1.08, Offeror Experience and Capabilities, will likely have an adverse effect on Offeror's proposal evaluation.

4.05 OVERVIEW OF THE RFP PROCESS

1. The RFP is issued pursuant to Subchapter 6 of HAR Chapter 3-122, implementing HRS Section 103D-303.
2. The procurement process begins with the issuance of the RFP and the formal response to any written questions or inquiries regarding the RFP. Changes to the RFP will be made only by Addendum.
3. Proposals shall not be opened publicly, but shall be opened in the presence of two (2) or more procurement officials. The register of proposals and Offerors' proposals shall be opened to public inspection after posting of the award.

All proposals and other material submitted by the Offerors become the property of the State and returned only at the State's option.

4. The Procurement Officer, or an evaluation committee selected by the Procurement Officer, shall evaluate the proposals in accordance with the evaluation criteria. The proposals shall be classified initially as acceptable, potentially acceptable, or unacceptable.

5. Proposals may be accepted on evaluation without discussion. However, if deemed necessary, prior to entering into discussion, a “priority list” of responsible Offerors submitting acceptable and potentially acceptable proposals shall be generated. The priority list may be limited to a minimum of three responsible Offerors who submitted the highest-ranked proposals. The objective of these discussions is to clarify issues regarding the Offeror’s proposal before the Best and Final Offeror (BAFO) is tendered.
6. If during discussion there is a need for any substantial clarification or change in the RFP, the RFP shall be amended by an addendum to incorporate such clarification or change. Addenda to the RFP shall be distributed only to priority listed Offerors who submit acceptable or potentially acceptable proposals.
7. Following any discussions, Priority Listed Offerors will be invited to submit their BAFO, if required. The Procurement Officer or an evaluation committee reserves the right to have additional rounds of discussions with the top three (3) Priority Listed Offerors prior to the submission of the BAFO.
8. The date and time of the Offers to submit their BAFO, if any, is indicated in Section 1.02 RFP Schedule and Significant Dates. If Offeror does not submit a notice of withdrawal or a BAFO, the Offer’s immediate previous offer shall be construed as its BAFO.
9. After receipt and evaluation of the BAFOs in accordance with the evaluation criteria, in Section Three, the Procurement Officer or an evaluation committee will make its recommendation. The Procurement Officer will award the contract to the Offeror whose proposal is determined to be the most advantageous to the State taking into consideration the evaluation factors set forth in the evaluation criteria.
10. The contents of any proposal shall not be disclosed during the review, evaluation, discussion, or negotiation process. Once award notice is posted, all proposals, successful and unsuccessful, become available for public inspection. Those sections that the Offeror and the State agree are confidential and/or proprietary should be identified by the Offerors and shall be excluded from access.
11. The Procurement Officer or an evaluation committee reserves the right to determine what is in the best interest of the State for purposes of reviewing and evaluating proposals submitted in response to the RFP. The Procurement Officer or an evaluation committee will conduct a comprehensive, fair and impartial evaluation of proposals received in response to the RFP.
12. The RFP, any addenda issued, and the successful Offeror’s proposal shall become a part of the contract. All proposals shall become the property of the State of Hawaii.

4.06 CONFIDENTIAL INFORMATION

If a person believes that any portion of a proposal, offer, specification, protest, or correspondence contains information that should be withheld as confidential, then the Procurement Officer named on the cover of this RFP should be so advised in writing and provided with justification to support confidentiality claim. Price is not considered confidential and will not be withheld.

An Offeror shall request in writing nondisclosure of designated trade secrets or other proprietary data considered confidential. Such data shall accompany the proposal, be clearly marked and shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal.

Pursuant to HAR Section 3-122-58, the head of the purchasing agency or designee shall consult with Attorney General and make a written determination in accordance with HRS Chapter 92F. If the request for confidentiality is denied, such information shall be disclosed as public information, unless the person appeals the denial to the Office of Information Practices in accordance with HRS Section 92F-42(12).

4.07 REQUIRED REVIEW

Prospective Offerors shall carefully review this solicitation for defects and questionable or objectionable matter. Comments and questions **must be made in writing and should be received by the STATE prior to the Deadline to Submit Written Questions in the Significant Dates section of the RFP.** This will allow issuance of any necessary corrections to the RFP. It will also help prevent the opening of a possible defective solicitation and unnecessary exposure of Offeror's proposal when an award could not be made.

4.08 OFFER ACCEPTANCE PERIOD

The State's acceptance of offer, if any, will be made within sixty (60) calendar days after the opening of the proposals. Price quotes by the Offeror shall remain firm for sixty (60) days.

4.09 PROPOSAL AS PART OF THE CONTRACT

Part or all of this RFP and the successful proposal may be incorporated into the contract.

4.10 PROTEST

A protest shall be submitted in writing within five (5) working days after the aggrieved person knows or should have known of the facts giving rise thereto: provided that protest based upon the content of the solicitation shall be submitted in writing prior to the date set for receipt of offers. Further provided that a protest of an award or proposed award shall be submitted within five (5) working days after the posting of the award of the contract.

The notice of award letter(s), if any, resulting from this solicitation shall be posted on the Procurement Reporting System, which is available on the State Procurement Office website: <http://www.hawaii.gov/spo2/source/>.

Any protest pursuant to Section 103D-701, HRS, and Section 3-126-3, HAR, shall be submitted in writing to the Natural Energy Laboratory of Hawaii Authority.

4.13 GOVERNING LAW; COST OF LITIGATION

The validity of the Contract and any of its terms or provisions, as well as the rights and duties of the parties to the contract, shall be governed by the laws of the State of Hawaii. Any action at law or equity to enforce or interpret the provisions of the contract shall be brought in a state court or competent jurisdiction in Honolulu, Hawaii.

In case the State shall, without any fault on its part, be made a party to any litigation commenced by or against the Contractor in connection with the Contract, the Contractor shall pay all costs and expenses incurred by or imposed on the State, including attorneys' fee.

4.14 SUBMISSION OF PROPOSAL

The submission of a proposal shall constitute an incontrovertible representation by the Offeror of compliance with every requirement of the RFP, and that the RFP documents are sufficient in scope and detail to indicate and convey reasonable understanding of all terms and conditions of performance of the work.

Before submitting a proposal, each Offeror must:

1. Examine the solicitation documents thoroughly. Solicitation documents include this RFP, and attachments, plans referred to herein, and any other relevant documents.
2. Become familiar with State, local, and federal laws, statutes, ordinances, rules, and regulations that may in any manner affect cost, progress, or performance of the work.

NELHA must receive sealed proposals no later than the date and time indicated in Section 1.02, RFP Schedule and Significant Dates. Timely receipt of proposals shall be evidenced by the date and time registered by the NELHA time clock. Offers received after the deadline shall be returned unopened.

4.15 PROPOSAL PREPARATION

1. **Offer Form, page OF-1.** See Exhibit A. Proposals shall be submitted using Offeror's exact legal name as registered with the Department of Commerce and Consumer

Affairs, if applicable; and to indicate exact legal name in the appropriate space on Offer Form OF-1. Failure to do so may delay proper execution of the contract.

The authorized signature on the first page of the Offer Form shall be an original signature; if possible blue ink is preferred. If unsigned or the affixed signature is a facsimile or a photocopy, the offer shall automatically be rejected unless accompanied by other material, containing an original signature, indicating the Offeror's intent to be bound.

2. **Offer Guaranty.** An offer guaranty is NOT required for this RFP.
3. **Tax Liability.** Work performed under this solicitation is a business activity taxable under HRS Chapter 237, and if applicable, taxable under HRS Chapter 238. Vendors are advised that they are liable for the Hawaii General Excise Tax (GET) at the current rate of 4% rate and the applicable use tax at the current ½% rate. If, however, an Offeror is a person exempt by the HRS from paying the GET and therefore not liable for the taxes on this solicitation, Offeror shall state its tax exempt status and cite the HRS chapter or section allowing the exemption.
4. **Original Proposal and Copies to be Submitted.** Offeror shall submit one (1) original proposal marked "ORIGINAL" and four (4) additional **copies** of the original marked "COPY." It is imperative to note that the Offeror submit only one original and the required number of copies. The original proposal and four (4) copies of the proposal must be in a sealed envelope or box.

The outside cover of the package containing the offer should be marked:

SEALED PROPOSAL FOR DBEDT SUBMITTED IN RESPONSE TO RFP-13-01-NELHA.

Address for delivering a proposal in person or via Federal Express or the United Parcel Service the address is:

Natural Energy Laboratory of Hawaii Authority
73-790 Makako Bay Drive
Kailua-Kona, Hawaii 96740

Address for delivering a proposal via the US Postal Service the address is:

Natural Energy Laboratory of Hawaii Authority
73-4460 Queen Kaahumanu Highway, #101
Kailua-Kona, Hawaii 96740

(Name, address, telephone number of Offeror)

Costs for developing the Proposal are solely the responsibility of the Offeror, whether or not any award results from this solicitation. NELHA will not reimburse such costs. Offeror is cautioned that illegible offers of any item(s) may be automatically rejected to avoid any errors in interpretation by the reviewers during the evaluation process.

5. All proposals become the property of NELHA.
6. Copies of all documents transmitted by Offerors via facsimile machines shall be limited to the modifications or withdrawal of an offer pursuant to HAR Sections 3-122-108 and 3-122-28, respectively.

4.16 PRICING

All proposals must be priced. Pricing shall be an all-inclusive fixed cost. These prices shall be inclusive of all federal, state and local tax; and any and all expenses, required for the completion of the services to be performed as listed under Section 1.03, Scope of Work. **No other costs will be honored.**

4.17 PROPOSAL OPENING

Proposals shall not be opened publicly, but shall be opened in the presence of two or more procurement officials. The register of proposals and Offerors' proposals shall be open to public inspection upon posting of the award. All proposals and other material submitted by Offerors become the property of the State and may be returned only at the State's option.

4.18 EVALUATION OF PROPOSALS

The Procurement Officer, or an evaluation committee of at least three (3) State employees selected by the Procurement Officer's Designated Representative shall evaluate the proposals. The evaluation will be based solely on the evaluation criteria set out in this RFP.

Discussions may be conducted with firms or individuals determined to be priority-listed Offerors pursuant to Section 3-122-53, HAR. Priority-listed Offerors are those responsible Offerors with the highest-ranked proposals of those proposals that were ranked as acceptable or potentially acceptable. However, proposals may be accepted without such discussions.

If during discussions there is a need for any substantial clarification or change in the RFP, the RFP shall be amended by an addendum to incorporate such clarification or change. Addenda to the RFP shall be distributed only to priority-listed Offerors. These Offerors shall be permitted to submit new proposals or to amend those submitted.

The date and time for Offerors to submit their best and final offers, as necessary, will be determined and made known. If Offeror does not submit a notice of withdrawal or another best and final offer, the Offeror's immediate previous offer will be considered as their best and

final offer.

The State's acceptance of an offer, if any, will be made within sixty (60) calendar days after opening of proposals. Unless extended by mutual agreement, the Offeror's proposal shall remain firm for the sixty-day period.

4.19 DISCUSSION WITH PRIORITY LISTED OFFERORS

Priority listed Offerors may have a discussion with the evaluation committee to discuss their proposal to ensure thorough, mutual understanding. The State in its sole discretion shall schedule the time and location for these discussions.

4.20 CANCELLATION OF RFP AND PROPOSAL REJECTION

The State reserves the right to cancel this RFP and to reject any and all proposals in whole or in part when it is determined to be in the best interest of the State, as provided in Sections 3-122-95 through 3-122-97, HAR.

The State shall not be liable for any costs, expenses, loss of profits or damages whatsoever, incurred by the Offeror in the event this RFP is cancelled or a proposal is rejected.

4.21 DEBRIEFING

Pursuant to Section 3-122-60, HAR, a debriefing may be provided, if requested, to the non-selected Offerors to inform them of the basis for the source selection decision and contract award.

A written request for debriefing shall be made within three (3) working days after the posting of the award of the contract. The procurement officer or designee shall hold the debriefing within seven (7) working days to the extent practicable from the receipt date of written request.

A protest by the requestor submitted pursuant to §103D-303(h), HRS, following a debriefing shall be filed within five (5) working days, as specified in §103D-303(h), HRS.

4.22 DISQUALIFICATIONS OF PROPOSALS

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all the requirements set forth in this RFP and which demonstrate an understanding of the scope of services. Any proposal offering any other set of terms and conditions contradictory of those included in the RFP may be disqualified without further notice.

4.23 SPECIAL CONDITIONS

1. All work and products developed shall comply with all applicable State, county, and federal rules, codes, and guidelines.
2. The Contractor must assure and be responsible for the continuity of service activities in the event of staff illness, medical emergencies, vacancies, or other situations that result in program resources that are less than proposed and contracted for. The Contractor must not require nor depend on the State's staff to provide services activities in the event that program resources are not available due to the above situations.
3. When a disagreement arises between the Contractor and the State in regards to the performance of specific service requirements within contract specifications, the wishes of the State shall prevail. Failure on the part of the Contractor to comply shall be deemed cause for corrective action and subject to contractual remedies.
4. The State reserves the right to reduce, amend, or expand the "Scope of Services."

4.24 CONTRACT EXECUTION

Successful Offeror receiving award shall enter into a formal written contract. No performance or payment bond shall be required for the Contract.

No work is to be undertaken by the Contractor prior to the commencement date specified in the Notice to Proceed issued by the State upon execution on the contract by both parties. The State of Hawaii is not liable for any work, contract, costs, expenses, loss of profits, or any damages whatsoever incurred by the Contractor prior to the official commencement date.

4.25 PAYMENT

Incremental payments shall be made to the awarded Contractor on the proposed payment schedule, upon receipt of reports that meet the expectations of the RFP.

HRS Section 103-10 provides that the State shall have thirty (30) calendar days after receipt of invoice or satisfactory completion of contract to make payment. For this reason, the State will reject any offer submitted with a condition requiring payment within a shorter period. Further, the State will reject any offer submitted with a condition requiring interest payments greater than that allowed by HRS §103-10, as amended.

The State will not recognize any requirement established by the Contractor and communicated to the State after award of the contract, which requires payment within a shorter period or interest payment not in conformance with statute.

4.26 AWARD OF CONTRACT

Method of Award. The award will be made to the responsive, responsible Offeror whose proposal is determined to be the most advantageous to the State based on the evaluation criteria.

4.27 NOTICE TO PROCEED

Work will commence on the official commencement date specified in the Notice to Proceed.

4.28 INVOICING

Contractor shall submit an invoice with each request for payment. Original and one copy of the invoice shall be mailed to:

Natural Energy Laboratory of Hawaii Authority
73-4460 Queen Kaahumanu Highway, #101
Kailua-Kona, Hawaii 96740

4.29 SUBCONTRACTING

No work or services shall be subcontracted or assigned without the prior written approval of the State. No subcontract shall under any circumstances relieve the Contractor of his/her obligations and liability under the Contract with the State. All persons engaged in performing the work covered by the contract shall be considered employees of the Contractor.

4.30 NON-DISCRIMINATION

No person performing work under this Agreement, including any subcontractor, employee, or agency of the Contractor, shall engage in any discrimination that is prohibited by any applicable federal, state or county law.

4.31 CONFLICTS OF INTEREST

The Contractor represents that neither the Contractor, nor any employee or agent of the contractor, presently has any interest, and promises that no such interest, direct or indirect, shall be acquired, that would or might conflict in any manner or degree with the Contractor's performance of this contract.

4.32 WAIVER

The failure of the State to insist upon the strict compliance with any term, provision or condition of the contract shall not constitute or be deemed to constitute a waiver or relinquishment of the State's right to enforce the same in accordance with this contract.

4.33 SEVERABILITY

In the event that any provision of this contract is declared invalid or unenforceable by a court, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining terms of this contract.

4.34 CAMPAIGN CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS

It has been determined that funds for this contract have been appropriated by a legislative body.

Therefore, Offeror, if awarded a contract in response to this solicitation, agrees to comply with Section 11-202.5, HRS, which states that campaign contributions are prohibited from a State and county government contractor during the term of the contract if the contractor is paid with funds appropriated by a legislative body.

SECTION FIVE

PROPOSAL REQUIREMENTS

PROPOSAL REQUIREMENTS – FOR OFFERORS SUBMITTING A PROPOSAL FOR

EVALUATION AND UPDATE OF NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY

A. SUBMISSION REQUIREMENTS — Failure to comply with any of these requirements may be grounds for rejection of the proposal.

1. Offeror is requested to submit its Offeror's **exact legal name as registered with the DCCA**, if applicable, and to indicate exact legal name in the appropriate space on Offer Form OF-1, Exhibit A. Failure to do so may delay proper execution of the contract.

The authorized signature on the first page of the Offer Form shall be an original signature, if possible blue ink is preferred. If unsigned or the affixed signature is a facsimile or a photocopy, the offer shall automatically be rejected unless accompanied by other material, containing an original signature, indicating the Offeror's intent to be bound.

2. The Original plus four (4) copies of the proposal shall be submitted in a sealed envelope or box to Gregory P. Barbour, Executive Director:

The address for delivering a proposal in person or via Federal Express or the United Parcel Service the address is:

Natural Energy Laboratory of Hawaii Authority
73-790 Makako Bay Drive
Kailua-Kona, Hawaii 96740

The address for delivering a proposal via the US Postal Service the address is:

Natural Energy Laboratory of Hawaii Authority
73-4460 Queen Kaahumanu Highway, #101
Kailua-Kona, Hawaii 96740

3. The original proposal shall be clearly marked "ORIGINAL" on the upper right hand corner of the cover page and have an original signature, signed in **blue ink** is preferred. Copies shall be clearly marked "COPY." The State will not provide

any reimbursement for the cost of developing, submitting, or evaluating any proposals in response to the RFP.

4. "Solicitation No. RFP-13-01-NELHA" shall be referenced on the outside of the sealed proposals. **Facsimiles shall not be accepted.**
1. **NELHA must receive sealed proposals no later than the date and time indicated in "Significant Dates" in the RFP "Statement of Work." Proposals shall be marked with the date and time upon receipt. Late proposals shall not be accepted. The NELHA clock shall serve as the official time.**
2. Offerors are cautioned to make prior arrangements to ensure delivery by the proposal due date. Offers received after the deadline shall be returned unopened.
3. Offerors are to complete and submit the documents contained in the RFP "Proposal" and a project proposal as described in Section C.

B. OFFEROR'S COVENANTS AND QUALIFICATIONS

1. Proposals shall include completed proposal pages in the section entitled, "Proposal." Remove, complete, and submit the required number of copies for each document in the "Proposal" section.
2. The proposal must be signed by an authorized representative, and the corporate resolution or evidence of authorization to bind must be attached.
3. **PLEASE NOTE: The name of the organization filing the proposal must match the name which is either legally registered with the DCCA for Hawai'i corporations, partnerships, or trade names, or the DOTAX for sole proprietors who do not have registered trade names with the DCCA. An out-of-state organization must be legally registered with its appropriate state. Should the proposal include more than one entity or should the Offeror anticipate work to be performed through subcontracts, please list all entities or subcontractors and their respective roles in the project.**

C. PROJECT PROPOSAL

Offeror shall submit a proposal that includes an overall strategy, timeline, budget, and plan for the work proposed, as well as expected results and possible shortfalls. The project proposal shall include, but not be limited to:

1. Scope of Work.

- a. A detailed plan to effectively carry out the tasks described in the “Scope of Work”. The detailed plan should include any and all information as the Offeror believes relevant to the criteria in Section 3 “Evaluation Criteria”, of this RFP.
 - b. The proposal shall include a description and history of the Offeror, specifying organizational and managerial capabilities and relevant expertise in services outlined in the RFP “Scope of Work”. Evidence of related or similar projects conducted by the firm shall also be provided.
 - c. The proposal shall include the names, qualifications, and relevant experience and roles in the project of individuals who will work on the project.
2. Workplan and Time Schedule.
- a. The proposal shall include a detailed workplan of tasks. The proposed workplan should include, to the extent possible, the cost, resources, and duration of for each task in the workplan. The proposal shall include time schedule which sets forth tasks to be achieved within specified timeframes with all services to be completed by March 15, 2013.
3. Compensation.
- a. The proposal shall be priced and include a budget, including unit costs, for all tasks and services proposed. Inasmuch as the State of Hawai‘i imposes a general excise tax on gross income, this levy should be taken into account when calculating costs. The proposal shall recommend a progress payment schedule based on deliverables for all tasks as they are completed.
 - b. The Contractor shall be required to obtain a current tax clearance from the State of Hawai‘i, Department of Taxation and the Internal Revenue Service prior to entering into a contract with the State and again to receive final payment. Offerors are encouraged to immediately apply for a tax clearance, and if possible, to submit their tax clearance with their proposal. A tax clearance application is attached. See paragraph O, “Method of Award and Contract Requirements” of the Special Provisions for more detailed information.

SECTION SIX

PROPOSAL

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

**EVALUATION AND UPDATE OF
NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY**

SOLICITATION No. RFP-13-01-NELHA

PROPOSAL

OFFERORS ARE TO COMPLETE AND SUBMIT THIS SECTION FOR THEIR PROPOSALS.

6.01 TRANSMITTAL LETTER

Mr. Gregory P. Barbour, Executive Director
Natural Energy Laboratory of Hawaii Authority
73-4460 Queen Kaahumanu Highway, #101
Kailua-Kona, HI 96740

The undersigned has carefully read and understands the terms, conditions and requirements specified in the Request for Proposal attached hereto and hereby submit the following proposal to perform the work specified herein, all in accordance with the true intent and meaning thereof.

The undersigned further understands and agrees to the following:

- That by submitting this proposal, the undersigned is declaring that this proposal is not in violation of Chapter 84, Hawai'i Revised Statutes, concerning prohibited State contracts;
- That by submitting this proposal, the undersigned is declaring that the proposal is being made without collusion with any other person, firm or corporation;
- That the NELHA Executive Director reserves the right to cancel the Request for Proposal at any time and all proposals may be rejected in whole or in part when it is in the best interest of the State;
- That discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award, but a proposal may be accepted without such discussions;
- That the undersigned may be required to submit best and final offers based on discussion;
- That award, if any, will be made on a firm fixed fee basis to the responsive and responsible Offeror who has submitted the most advantageous offer in accordance with the evaluation criteria set forth in this Request for Proposal;
- That by submitting this proposal, the undersigned is declaring that if awarded a contract, the undersigned will comply with all requirements for wages, hours and working conditions in accordance with Section 103-55, Hawai'i Revised Statutes; and
- That if awarded a contract, the undersigned hereby commits to a minimum of two consultation sessions with the State.

The undersigned acknowledges receipt of any addendum issued by NELHA by recording in the space below the date of receipt:

Addendum No. 1 _____

Addendum No. 2 _____

Addendum No. 3 _____

Addendum No. 4 _____

The undersigned hereby certifies that the proposal hereby attached has been carefully checked and is submitted as correct.

Respectfully submitted,

Exact Legal Name of Offeror (company name)

Authorized signature (attach corporate resolution or
evidence of authorization to bind)

Title

Date

Street Address

City, STATE, Zip Code

Telephone No.

Mailing Address (if different from street address)

State of Hawai'i General Excise Tax (GET) License Number: _____

Type of Organization: _____ Individual _____ Partnership _____ Corporation _____ Joint Venture

State of Incorporation: Hawai'i _____ Other: _____

The following preferences apply to this solicitation. A detailed discussion of each preference is included in the section entitled, "Special Provisions." Indicate which preferences apply.

- If yes, indicate State of Hawai'i business street address: _____

(Note: The bidder may wish to also obtain tax clearance from the Internal Revenue Service at the same time in order to fulfill this requirement if awarded a contract)

- Is your organization tax exempt? yes _____ no _____

- List your principal place of Business:

Street address, City, State, Zip Code

Are you registered with the State of Hawai'i, Department of Commerce and Consumer Affairs to do business in the State of Hawai'i? yes_____ no_____

6.04 QUALIFICATION QUESTIONNAIRE

1. How many years has your organization been in business under your present business name?
2. How many years experience in this field of work has your organization had?
3. Show what projects your organization has completed in the past five (5) years that are related to this project:

Name and Address of Project Owner	Description	Contract Amount	Completion Date

4. Have you ever failed to complete any work awarded to you?
If so, please provide a brief description, including when and where it took place and why work was not completed.

5. Has any officer or partner of your organization in the past five (5) years been an officer, partner or individual of some other organization that failed to complete a contract?
If so, state name of individual, other organization and reason therefore:

6. For what entities within the State of Hawai'i other than government agencies have you performed work and to whom do you refer?

Agency	Project Description	Contact Person	Phone

7. For what State departments and county agencies of the State of Hawai'i have you performed work and to whom do you refer?

Department	Project Description	Contact Person	Phone

8. Have you performed work for the U.S. Government? _____
If so, list and to whom do you refer?

Agency	Project Description	Contact Person	Phone

9. Have you ever performed any work for any other governmental agencies outside the State of Hawai'i?
If so, list and to whom do you refer?

Agency	Project Description	Contact Person	Phone

10. List a minimum of three references for work performed similar to this project.

Company	Project Description	Contact Person	Phone

11. What is the professional or project experience of the principal individuals being assigned to this project?

Individual's Name	Position or Title	Years Experience	Type of Work

6.05 CORPORATE RESOLUTION

Attach here:

1. Corporate resolution or written authorization of Offeror's representative to sign this proposal here.

SECTION SEVEN

EXHIBITS

OFFER FORM OF-1	Exhibit A
OFFER FORM OF-2	Exhibit B
Tax Clearance Application.....	Exhibit C
Certificate for Final Payment (SPO Form-22)	Exhibit D
NELHA 2003 DER Strategy.....	Exhibit E
General Conditions	Exhibit F
NELHA 2011 Master Plan Map.....	Exhibit G

EXHIBIT A
OFFER FORM OF-1

Mr. Gregory P. Barbour, Executive Director
Natural Energy Laboratory of Hawaii Authority
73-4460 Queen Kaahumanu Highway, #101
Kailua-Kona, HI 96740

Dear Mr. Barbour:

The undersigned has carefully read and understands the terms and conditions specified in the Specifications and Special Provisions attached hereto, and in the General Conditions, Form 4/15/96, by reference made a part hereof and available upon request; and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof. The undersigned further understands and agrees that by submitting this offer, 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawai'i Revised Statutes, concerning prohibited State contracts, and 2) he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion.

The undersigned represents that it is: **(Check v one only)**

- ☐ A **Hawai'i business** incorporated or organized under the laws of the State of Hawai'i;
OR
☐ A **Compliant Non-Hawai'i business** not incorporated or organized under the laws of the State of Hawai'i, is or shall be registered at the State of Hawai'i, Department of Commerce and Consumer Affairs Business Registration Division (DCCA-BREG) to do business in the State of Hawai'i.

State of incorporation: _____

Offeror is:

☐ Sole Proprietor ☐ Partnership ☐ Corporation ☐ Joint Venture ☐ Other _____

Federal I.D. No.: _____

Hawai'i General Excise Tax License I.D. No.: _____

Payment address (other than street address below): _____

City, State, Zip Code: _____

Business address (street address): _____

City, State, Zip Code: _____

Respectfully submitted:

(x) _____

Authorized (Original) Signature

Date: _____

Telephone No.: _____

Name and Title (Please Type or Print)

*

Exact Legal Name of Company (Offeror)

Fax No.: _____

*If Offeror is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the awarded contract will be executed:

E-mail Address:

OFFER FORM

OF-1

Revised 12/27/04

EXHIBIT B
OFFER FORM OF-2

Total contract cost for accomplishing the development and delivery of the services.

\$ _____

Note: Pricing shall include labor, materials, supplies, all applicable taxes, and any other costs incurred to provide the specified services.

Offeror _____
Name of Company

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

**EVALUATION AND UPDATE OF
NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY**

SOLICITATION No. RFP-13-01-NELHA

EXHIBIT C - TAX CLEARANCE

STATE OF HAWAII — DEPARTMENT OF TAXATION
TAX CLEARANCE APPLICATION
PLEASE TYPE OR PRINT CLEARLY
Form A-6 can be filed electronically. See Instructions.

Clear Form

1. APPLICANT INFORMATION: (PLEASE PRINT CLEARLY)

Applicant's Name _____

Address _____

City/State/Postal/Zip Code _____

DBA/Trade Name _____

2. TAX IDENTIFICATION NUMBER:

HAWAII TAX ID # **W** _____ - _____

FEDERAL EMPLOYER ID # _____ - _____
(FEIN)

SOCIAL SECURITY # (SSN) _____ - _____ - _____

3. APPLICANT IS A/AN: (MUST CHECK ONE BOX)

- | | | |
|---|--|--|
| <input type="checkbox"/> CORPORATION | <input type="checkbox"/> S CORPORATION | <input type="checkbox"/> TAX EXEMPT ORGANIZATION |
| <input type="checkbox"/> INDIVIDUAL | <input type="checkbox"/> PARTNERSHIP | <input type="checkbox"/> ESTATE <input type="checkbox"/> TRUST |
| <input type="checkbox"/> LIMITED LIABILITY COMPANY | <input type="checkbox"/> LIMITED LIABILITY PARTNERSHIP | |
| <input type="checkbox"/> Single Member LLC disregarded as separate from owner; enter owner's FEIN/SSN _____ | | |
| <input type="checkbox"/> Subsidiary Corporation; enter parent corporation's name and FEIN _____ | | |

4. THE TAX CLEARANCE IS REQUIRED FOR: (MUST CHECK AT LEAST ONE BOX)

- | | |
|---|---|
| <input type="checkbox"/> CITY, COUNTY, OR STATE GOVERNMENT CONTRACT IN HAWAII * | <input type="checkbox"/> LIQUOR LICENSE * |
| <input type="checkbox"/> REAL ESTATE LICENSE | <input type="checkbox"/> CONTRACTOR LICENSE |
| <input type="checkbox"/> FINANCIAL CLOSING | <input type="checkbox"/> BULK SALES** |
| <input type="checkbox"/> HAWAII STATE RESIDENCY | <input type="checkbox"/> PROGRESS PAYMENT |
| <input type="checkbox"/> SUBCONTRACT | <input type="checkbox"/> FEDERAL CONTRACT |
| | <input type="checkbox"/> PERSONAL |
| | <input type="checkbox"/> LOAN |
| | <input type="checkbox"/> OTHER _____ |

* IRS APPROVAL STAMP IS ONLY REQUIRED FOR PURPOSES INDICATED BY AN ASTERISK.

** ATTACH FORM G-8A, REPORT OF BULK SALE OR TRANSFER

5. NO. OF CERTIFIED COPIES REQUESTED:

6. SIGNATURE:

SIGNATURE _____

DATE _____

() -
TELEPHONE

() -
FAX

PRINT NAME _____

PRINT TITLE: Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, Executor

POWER OF ATTORNEY. If submitted by someone other than a Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, or Executor, a power of attorney (State of Hawaii, Department of Taxation, Form N-848) must be submitted with this application. **If a Tax Clearance is required from the Internal Revenue Service, IRS Form 8821, or IRS Form 2848 is also required.** Applications submitted without proper authorization will be sent to the address of record with the taxing authority. UNSIGNED APPLICATIONS WILL NOT BE PROCESSED.

PLEASE TYPE OR PRINT CLEARLY — THE FRONT PAGE OF THIS APPLICATION BECOMES THE CERTIFICATE UPON APPROVAL.

SEE PAGE 2 ON REVERSE & SEPARATE INSTRUCTIONS. Failure to provide required information on page 2 of this application or as required in the separate instructions to this application will result in a denial of the Tax Clearance request.

- The completed application may be mailed, faxed, or submitted in person to the Department of Taxation, Taxpayer Services Branch. Applications which require an Internal Revenue Service Tax Clearance will be forwarded to the Internal Revenue Service after processing is completed by the Department of Taxation. Allow up to **10 to 15 business days** for processing between the Department of Taxation and the Internal Revenue Service.

Internal Revenue Service
WAGE & INVESTMENT DIVISION
-TC M/S H214
FIELD ASSISTANCE GROUP 562
300 ALA MOANA BLVD., #50089
HONOLULU, HI 96850
TELEPHONE NO.: 808-566-2748
FAX NO.: 808-524-5950
or
TAXPAYER ASSISTANCE CENTER
HONOLULU:
300 ALA MOANA BLVD. RM 1-128

-FOR OFFICE USE ONLY-

TYPE OF TAX	TAX RETURNS FILED STATUS	Clerk's Initials	ITEMS RECEIVED
INCOME			
GENERAL EXCISE/USE/ COUNTY SURCHARGE TAX			
HAWAII WITHHOLDING			
TRANSIENT ACCOMMODATIONS			
RENTAL MOTOR/TOUR VEHICLE			
UNEMPLOYMENT INSURANCE			
OTHER TAXES			

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

**EVALUATION AND UPDATE OF
NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY**

SOLICITATION No. RFP-13-01-NELHA

EXHIBIT D – CERTIFICATE FOR FINAL PAYMENT (SPO FORM 22)

CERTIFICATION OF COMPLIANCE FOR FINAL PAYMENT
(Reference §3-122-112, HAR)

Reference: _____
(Contract Number) (IFB/RFP Number)

_____ affirms it is in
(Company Name)

compliance with all laws, as applicable, governing doing business in the State of Hawaii to include the following:

1. Chapter 383, HRS, Hawaii Employment Security Law – Unemployment Insurance;
2. Chapter 386, HRS, Worker’s Compensation Law;
3. Chapter 392, HRS, Temporary Disability Insurance;
4. Chapter 393, HRS, Prepaid Health Care Act; and

maintains a "Certificate of Good Standing" from the Department of Commerce and Consumer Affairs, Business Registration Division.

Moreover, _____
(Company Name)

acknowledges that making a false statement shall cause its suspension and may cause its debarment from future awards of contracts.

Signature: _____

Print Name: _____

Title: _____

Date: _____

SPO Form-22 (11/03)

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

**EVALUATION AND UPDATE OF
NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY**

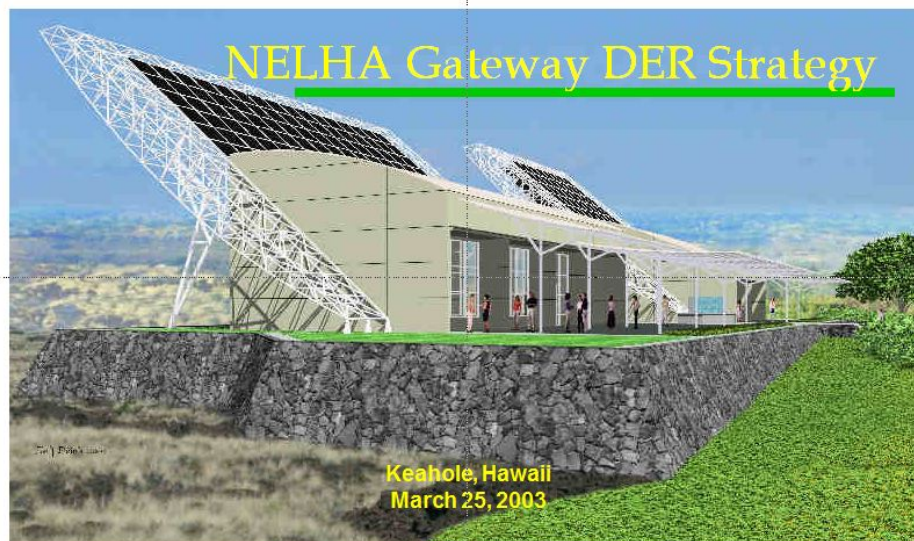
SOLICITATION No. RFP-13-01-NELHA

EXHIBIT E – NELHA 2003 DISTRIBUTED ENERGY RESOURCES STRATEGY

The NELHA 2003 DER Distributed Energy Resources Strategy is available for download at

http://www.nelha.org/Transfer_Files/2003DER.pdf

BOARD DISCUSSION



This document is confidential and is intended solely for the use and information of the client to whom it is addressed.

NEW ENERGY PARTNERS

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

**EVALUATION AND UPDATE OF
NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY**

SOLICITATION No. RFP-13-01-NELHA

EXHIBIT F— GENERAL CONDITIONS

The AG-008 General Conditions are available for download at

<http://hawaii.gov/forms/departments-of-attorney-general/internal-forms/ag-008/view>

NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

**EVALUATION AND UPDATE OF
NELHA'S DISTRIBUTED ENERGY RESOURCES STRATEGY**

SOLICITATION No. RFP-13-01-NELHA

EXHIBIT G– NELHA 2011 Master Plan Map

NELHA Master Plan Conceptual Map

The entire Master Plan is available for download at
http://www.nelha.org/Transfer_Files/NELHA_Master_Plan_Final_Nov11.pdf

